

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

against

ALBERTO WILLIAM VILAR, a/k/a “Albert Vilar,” and GARY ALAN TANAKA,

Defendants.

S3 05 Cr. 621 (KMK)

ECF CASE

**NOTICE OF MOTION BY DEFENDANT
GARY TANAKA'S MOTION FOR A *FRANKS* HEARING**

Defendant Gary Alan Tanaka, by his attorneys, hereby moves for a hearing pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978). In support of his motion, Mr. Tanaka submits the accompanying Memorandum of Law, the Declaration of Jessica L. Margolis and the Affidavit of Eugene Licker.

Dated: August 30, 2006
New York, New York

By: /s/ Glenn C. Colton

Glenn C. Colton (GC-2493)
Jessica L. Margolis (JM-7786)
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